
By: **Delegates Stull, Aumann, Bartlett, Bates, Cane, G. Clagett, V. Clagett, Cluster, Edwards, Elliott, Frush, Glassman, Hogan, Holmes, Jennings, Kelly, Malone, McConkey, McKee, Montgomery, Myers, Owings, Parrott, Shank, Sossi, Stocksdales, Weir, and Weldon**

Introduced and read first time: February 20, 2004

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Environmental Sanitarians - Milk Safety Inspector Exception**

3 FOR the purpose of altering a certain definition; creating an exception to a certain
4 licensing requirement for milk safety inspectors performing certain duties and
5 employed by the Department of Health and Mental Hygiene; and generally
6 relating to exceptions to licensing requirements for environmental sanitarians.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section 11-101 and 11-301
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Environment**

15 11-101.

16 (a) In this title the following words have the meanings indicated.

17 (b) "Board" means the State Board of Environmental Sanitarians.

18 (c) "Hours of approved training" means the value given to participation in
19 continuing education or experience as approved by the Board.

20 (d) "License" means, unless the context requires otherwise, a license issued by
21 the Board to practice as an environmental sanitarian.

22 (e) "Practice as an environmental sanitarian" means, as a major component of
23 employment, to apply academic principles, methods and procedures of the
24 environmental, physical, biological, and health sciences to the inspections and

1 investigations necessary to collect and analyze data and to make decisions necessary
2 to secure compliance with federal, State, and local health and environmental laws
3 and regulations specifically relating to control of the public health aspects of the
4 environment including:

5 (1) The manufacture, preparation, handling, distribution, or sale of food
6 [and milk];

7 (2) Water supply and treatment;

8 (3) Wastewater treatment and disposal;

9 (4) Solid waste management and disposal;

10 (5) Vector control;

11 (6) Insect and rodent control;

12 (7) Air quality;

13 (8) Noise control;

14 (9) Product safety;

15 (10) Recreational sanitation; and

16 (11) Institutional and residential sanitation.

17 (f) "Registered environmental sanitarian" means an individual who is
18 licensed by the Board to practice as an environmental sanitarian.

19 (g) "Sanitarian-in-training" means an individual who meets the educational
20 qualifications required under this title but has not yet completed the
21 sanitarian-in-training program required under § 11-305 of this title.

22 (h) "Sanitarian-in-training program" means a program of training and
23 experience under the supervision of a registered environmental sanitarian or other
24 individual acceptable to the Board.

25 11-301.

26 (a) Except as otherwise provided in this title, an individual shall be licensed
27 by the Board before the individual may practice as an environmental sanitarian in
28 this State.

29 (b) This section does not apply to:

30 (1) A sanitarian-in-training;

31 (2) A student participating in a field experience as part of an educational
32 program;

- 1 (3) An applicant for licensure in accordance with § 11-304 (b)(5) of this
2 title; and
- 3 (4) A qualified individual in any of the following job classifications:
- 4 (i) Industrial hygienists as defined by the American Industrial
5 Hygiene Association;
- 6 (ii) Certified industrial hygienists and industrial hygienists in
7 training as defined by the American Board of Industrial Hygiene;
- 8 (iii) Health planners or natural resource planners;
- 9 (iv) Building and housing inspectors;
- 10 (v) Geologists;
- 11 (vi) Chemists;
- 12 (vii) Meteorologists;
- 13 (viii) Laboratory scientists;
- 14 (ix) Professional engineers who are licensed in this State under
15 Title 14 of the Business Occupations and Professions Article and whose professional
16 activities are normally included in § 11-101(e) of this title;
- 17 (x) Public health engineers and water resources engineers
18 employed by the State or a local subdivision;
- 19 (xi) Hydrographers and hydrographic engineers;
- 20 (xii) Natural resources managers;
- 21 (xiii) Natural resources biologists;
- 22 (xiv) Program administrators, administration directors,
23 administrators, administrative officers, and administrative specialists;
- 24 (xv) Paraprofessional personnel, aides, and technicians whose
25 routine duties include monitoring, sampling, and recording of data;
- 26 (xvi) Persons employed by the Department of Natural Resources or
27 related county departments who perform duties and responsibilities under the
28 Natural Resources Article;
- 29 (xvii) Persons employed by the Department of the Environment or
30 related county departments who perform duties and responsibilities for erosion and
31 sediment control, stormwater management, or oil pollution control under Title 4 of
32 this article;

1 (xviii) Persons employed by the Department of the Environment or
2 related county departments who perform duties and responsibilities for ambient air
3 monitoring under Title 2 of this article or for motor vehicle pollution control under
4 Title 2 of this article or Title 23 of the Transportation Article;

5 (xix) Persons employed by the Division of Labor and Industry of the
6 Department of Labor, Licensing, and Regulation who perform duties and
7 responsibilities under the Maryland Occupational Safety and Health Act;

8 (xx) Occupational safety and health technologists as defined by the
9 American Board of Industrial Hygiene and the Board of Certified Safety
10 Professionals;

11 (xxi) Safety professionals as defined by the American Society of
12 Safety Engineers;

13 (xxii) Certified safety professionals and associate safety
14 professionals as defined by the Board of Certified Safety Professionals; [and]

15 (xxiii) Persons employed by industrial operations whose
16 environmental services are performed solely for their employer; AND

17 (XXIV) STATE MILK SAFETY INSPECTORS PERFORMING DUTIES
18 UNDER THE NATIONAL CONFERENCE ON INTERSTATE MILK SHIPMENTS AND
19 EMPLOYED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
21 effect October 1, 2004.